

Title 15 Parks and Recreation

Chapter 3

Special Events

(Title 15 Chapter 3 adopted by Ordinance 2012-18, effective November 13, 2012)

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Section 15-3-1. Declaration of Policy—Public use of Parks, Streets and other City Property.

- A. It is the policy of the City to ensure the peaceable use and enjoyment of city parks, streets, and other city property by all members of the public, including persons and groups engaging in demonstrations or expressive activity or a special event regulated by this chapter.
- B. Except as otherwise provided in this chapter or other applicable provisions of this Code, all park areas and streets generally accessible to the public are declared to be open to any person or group of persons for any lawful use, including any demonstration or expressive activity, or special event regulated under this Code.
- C. Except as otherwise expressly permitted in this Code, the use of parks, streets or other city property is prohibited.
- D. Consistent with this chapter, uses of park property, streets and other city property shall continue to be governed by other applicable provisions of this Code and any applicable regulations authorized under this Code.

Section 15-3-2. Definitions.

As used in this chapter:

- A. "Activity" means a parade or public meeting or assembly.
- B. "Funeral procession" means a single direct movement from a mortuary or church to the place of burial of a human body, under direction of an authorized funeral director.
- C. "Parade" means a march or procession of any kind.
- D. "Level 1 Event" means a pavilion rental only where the criteria outlined in Levels 2, 3 and 4 events do not apply.
- E. "Level 2 Event" means generally small events not open to the general public, for which an admission fee is not charged and with no commitment or support of City resources or cost the City an expense. This level of event typically consists of less than 150 participants, but may vary depending on circumstances. These events might include a neighborhood block party, the use of a City street for a party, and/or a small-group fund raiser.
- F. "Level 3 Event" means medium sized events involving some level of City participation in traffic control, use of barricades, etc. This level of event typically consists of less than 300 participants, but may vary depending on circumstances. These events might include races, festivals, carnivals, parades, or medium sized events held in City parks.
- G. "Level 4 Event" means large scale events involving extensive City support in traffic control, setup, cleanup, use of City equipment, etc. This level of event typically consists of more than 300 participants, but may vary depending on circumstances. These events might include marathons, triathlons, bicycle races, large scale parades, and/or other events of similar size and scale.
- H. "Public meeting or assembly" means a planned or organized gathering of a group of persons, or any ceremony, show, exhibition or pageant which may reasonably be expected to result in the gathering of a group of persons upon any public street, park or other public grounds.
- I. "Security control services" means the use of the appropriate number of law enforcement officers necessary to monitor and maintain public security and crowd control.
- J. "Spontaneous demonstration" means a public meeting or assembly that is neither planned nor organized in advance but occurs as a spontaneous reaction to an event and, in regard to which, the requirement to await the issuance of a permit would result in a substantial dilution of the impact of the message which the demonstrators wish to convey.

Section 15-3-3. Permit Required.

It is unlawful for any person to hold, manage, conduct, aid, participate in, form, start or carry on any parade or public meeting or assembly, as defined in this chapter, in or upon any public street, park or other public grounds in the city of Grantsville unless and until a permit to conduct such meeting, assembly or parade has been obtained in compliance with the provisions of this chapter, except as provided in this chapter.

Section 15-3-4. Exceptions.

This chapter shall not apply to any of the following:

- A. Funeral processions;
- B. A governmental agency acting within the scope of its functions;
- C. Students going to and from school classes or participating in educational activities, provided such activity is authorized by the school district and is under the immediate direction and supervision of the school authorized by the school district to approve and supervise such activity.
- D. A spontaneous demonstration; however, participants in a spontaneous demonstration shall refrain from any disorderly conduct as defined in Utah Code Ann. §76-9-102, shall not knowingly harass or annoy any nonparticipant in the spontaneous demonstration with any threatening gesture or sudden body movement directed at a nonparticipant and occurring within a five foot radius of the nonparticipant and shall comply with all other applicable laws and ordinances.

Section 15-3-5. Application.

Application for permits under this chapter must be filed with the Mayor's Office not less than seven (7) days for a Level 1 event or a Level 2 event; or ninety (90) days for a Level 3 or Level 4 event. Late applications may be accepted if filed sufficiently in advance of the date of the proposed activity to enable the Mayor's Office to determine that said activity will meet the requirements set forth in 15-3-7.

The application shall be in writing and shall give the following information:

- A. The name, address and telephone number of the person requesting the permit. If the activity is proposed to be conducted for, on behalf of, or by any organization, the name, address and telephone number of the headquarters of the organization and the authorized head of such organization shall be stated;
- B. The name, address and telephone number of the person who will be directly in charge of and responsible for the activity;
- C. The purpose of the activity;
- D. The date, time and location or route of the proposed activity;
- E. The approximate number of persons who will participate in the activity and the number and kind of vehicles, equipment and animals which will be used;
- F. Plans for the assembly and dispersal of the event, including times and locations thereof;
- G. A statement as to whether the parade will occupy all or only a portion of the streets proposed to be traversed;
- H. A statement as to whether a permit has been requested or obtained from any other city within which said activity shall commence, terminate or occur in part;
- I. Any additional information which the chief of police or designee shall find reasonably necessary to a determination of the findings required by Section 15-3-6.

Section 15-3-6. Findings Required.

The Mayor's Office shall issue a permit as provided for in this chapter when from a consideration of the application and from such other information as may otherwise be obtained he finds that:

- A. The conduct of such activity will not substantially interrupt the safe and orderly movement of vehicle or pedestrian traffic;
- B. The concentration of persons, animals and vehicles will not unduly interfere with proper fire and police protection of, or ambulance service to, areas where the activity will take place or areas contiguous to such area;
- C. The conduct of such activity will not unduly interfere with the movement of firefighting equipment en route to a fire, or the movement of other emergency equipment;
- D. The conduct of such activity is not reasonably likely to cause injury to persons or property;
- E. The participants of the activity will not knowingly harass or annoy any nonparticipant in the activity with any threatening gesture or sudden body movement directed at a nonparticipant and occurring within a five foot radius of the nonparticipant; and
- F. Such activity is not to be held for the sole purpose of advertising the goods, wares or merchandise of a particular business establishment or vendor.
- G. Permittee's past actions regarding permit and use/abuse of City property.

Section 15-3-7. Condition to Permit.

The Mayor's Office shall have authority to impose such conditions as are necessary to insure that all of the findings mentioned in Section 15-3-6 shall exist during the continuation of the activity.

Section 15-3-8. Issuance; Priority of Conflicting Applications.

- A. The Mayor's Office shall review each application to ensure that the proposed special event complies with all applicable provisions of this chapter. The Mayor's Office shall:
 - a. Issue a permit if the special event organizer has satisfied all applicable requirements of this chapter.
 - b. The Mayor's Office shall instruct the City Recorder to notify the special event organizer of the approval or denial of an application upon the receipt and review of all information requested by the Mayor's Office and any appropriate director taking into consideration the nature and size of the proposed special event and the time necessary for the Mayor's Office to coordinate with any appropriate director to determine the availability of city personnel resources to provide the necessary city services requested by the special events organizer or required by the Mayor's Office.
 - c. All permits shall be issued on a first-come, first-served basis and no application shall be accepted for filing that is submitted prior to 18 months immediately preceding the date(s) sought. All applications shall be time stamped immediately upon receipt; provided that if two or more conflicting applications are received simultaneously, Grantsville City's will follow its Facility Use Policy to determine which application shall be permitted.

Section 15-3-9. Prior Application.

If a prior permit application shall have been made for an activity proposed to be held at the same time or place, or the City has activities to be held at the same time or place, the Mayor's Office may refuse approval of the later application. In case of such refusal, the City Recorder shall notify the applicant within twenty-four (24) hours that the applicant may apply for an alternate time and place.

Section 15-3-10. Notice of Issuance or Denial.

The City Recorder shall notify in writing the applicant of the issuance or denial within seven (7) days of the filing thereof. If the Mayor's Office denies the application, it shall set forth specific findings as to why the application was denied.

Section 15-3-11. Appeal Procedure.

The applicant shall have the right to appeal the denial of a permit to the Grantsville City Council. A notice of appeal shall be filed with the City Recorder within seven (7) days after receipt of notice of the denial. Said Appeal shall be presented at the next scheduled regular meeting of the City Council.

Section 15-3-12. Duties of Permittee.

A permittee hereunder shall comply with all terms and conditions of said permit and with all applicable laws and ordinances. The written permit obtained pursuant to this chapter shall be carried by the person heading or leading the activity for which the permit was issued.

Section 15-3-13. Unlawful Assembly.

Upon the failure of the permittee to comply with the terms and conditions of said permit or if the activity or spontaneous demonstration, because of the manner in which it is being conducted, or for any other reason, is jeopardizing those elements of the public safety or welfare,, the activity or spontaneous demonstration shall be deemed to be an unlawful assembly, the chief of police or designee shall so notify the participants, shall order them to disburse and, if they fail or refuse to do so, may take such measures as are reasonably necessary to protect the peace, safety and order of the community.

Section 15-3-14. Special Event Fee Schedule.

The City Council shall adopt and update a fee schedule covering the administrative cost associated with the review or duties performed by City employees associated with the application and event.

Section 15-3-15. Fee Schedule.

The City Council herein adopts as its fee schedule associated with a special event:

A. Application Fees:

- a. Level 1 Event Application Fee: No Fee
- b. Level 2 Event Application Fee: No Fee
- c. Level 3 Event Application Fee: \$50.00
- d. Level 4 Event Application Fee: \$150.00

B. Public Works:

- a. Public Work Employee: \$36.00 *per hour*
- b. Truck Use: \$50.00 *per hour*

C. Police Department

- a. Police Officer: \$36.00 *per hour* (2 hour minimum)

D. Deposit Fee:

- a. Park Pavilion \$50.00
- b. Rodeo Pavilion \$50.00
- c. Rodeo Grounds \$200.00
- d. Cook Shack \$150.00

Deposit shall be returned if there is no damage or clean up required

E. User Fee: (Included in deposit)

- a. Park Pavilion \$25.00
- b. Rodeo Pavilion \$35.00
- c. Rodeo Grounds \$100.00
- d. Cook Shack \$75.00

Fees are non-refundable